

EXPLANATION OF LOSSES SUBJECT TO RESTITUTION

The Mandatory Victims Restitution Act of 1996 provides that you may be entitled to an order of restitution for certain losses suffered as a direct and proximate result of the commission of the offense for which the defendant was convicted. The types of losses for which the statute provides restitution are explained below. You have the right to explain these losses in detail in the attached affidavit form.

In the case of an offense resulting in damage to or loss or destruction of property of a victim of the offense, the court may order: the return of the property to the owner of the property or someone designated by the owner; or if return of the property is impossible, impracticable, or inadequate, an amount equal to the greater of -- the value of the property on the date of the damage, loss, or destruction, or the value of the property on the date of sentencing, less the value (as of the date the property is returned) of any part of the property that is returned. 18 U.S.C. § 3663A(b)(1).

In the case of an offense resulting in bodily injury to a victim, the court may order: payment of an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care, including nonmedical care and treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; payment of an amount equal to the cost of necessary physical and occupational therapy and rehabilitation; and reimbursement of the victim for income lost by such victim as a result of such an offense. 18 U.S.C. § 3663A(b)(2).

In the case of an offense resulting in bodily injury that also results in the death of the victim, the court may order payment of an amount equal to the cost of necessary funeral and related services. 18 U.S.C. § 3663A(b)(3).

In any case, the court may order reimbursement of the victim for lost income and necessary child care, transportation, and other expenses incurred during participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense. 18 U.S.C. § 3663A(b)(4).

In any case, if the victim consents, the court may order payment of restitution in the form of services to the victim or a person or organization other than the victim. 18 U.S.C. § 3664(f)(4).

The victim may at any time assign the victim's interest in restitution payments to the Crime Victims Fund in the Treasury without in any way impairing the obligation of the defendant to make such payments. 18 U.S.C. § 3664(g)(2).

If a victim has received compensation from insurance or any other source with respect to a loss, the court shall order that restitution be paid to the person who provided or is obligated to provide the compensation, but the restitution order shall provide that all restitution of victims required by the order be paid to the victims before any restitution is paid to such provider of compensation. 18 U.S.C. § 3664(j)(1).